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will co-operate—not passively, merely, but actively and watchfully—to make an end of this disgraceful evil. It cannot live where the community does not countenance it.

I have called upon the nation to put its great energy into this war and it has responded—responded with a spirit and a genius for action that has thrilled the world. I now call upon it, upon its men and women everywhere to see to it that its laws are kept inviolate, its fame untarnished. Let us show our utter contempt for the things that have made this war hideous among the wars of history by showing how those who love liberty and right and justice and are willing to lay down their lives for them upon foreign fields stand ready also to illustrate to all mankind their loyalty to all things at home which they wish to see established everywhere as a blessing and protection to the peoples who have never known the privilege of liberty and self-government.

I can never accept any man as a champion of liberty, either for ourselves or for the world, who does not reverence and obey the laws of our own beloved land, whose laws we ourselves have made. He has adopted the standards of the enemies of his country, whom he affects to despise.

A GOVERNED WORLD

By NICHOLAS MURRAY BUTLER

A Letter to the London Daily Chronicle, July 27, 1918

THE experiences of the war have carried far forward the time-old project to bring about closer and better co-operation between nations in establishing and maintaining order and justice throughout the world. The dreams of the seers of past centuries can soon be realized. Out of the present alliance of free democratic peoples it will not be difficult to build the structure of a league or society of nations which, without attempting too much, will at least put into effect the lessons taught by the present war, and erect the stoutest sort of a barrier against the recurrence of so terrible a calamity.

A league to establish and to enforce the rules of international law and conduct is now in existence, with Great Britain, France, Italy, and the United States as its most potent members. These nations and those associated with them have already, in effect, united under a single command their fighting armies, brought into closest co-operation their navies, pooled their mercantile shipping, their financial resources, their food supplies, and their munitions of war. What seemed quite impossible five years ago has now been easily and smoothly accomplished under the pressure of the supreme need of resisting the Teutonic attempts to reduce the free nations of the world to the position of serfs under the domination of the Imperial German Government.

This league should be a permanent addition to the world's organization for order and peaceable progress. Upon its firm and permanent establishment three consequences will necessarily follow: First, there can be no separate alliances or ententes of a political or military character between the nations included in the league; second, there can be a speedy reduction of armaments,

both to lighten the burdens of taxation and to turn the minds of the nations away from international war, to prevent which will be one of the chief aims of such a league; third, the most favored nation clause must be made applicable to all members of the league, whenever treaties or commerce are concluded between any two or more of the nations that are included in it. This will either greatly lessen, or wholly remove, one of the strongest economic temptations to international war.

The International Court of Justice urged by the American delegation at the Second Hague Conference should now be called into being. This court would have the same jurisdiction over questions affecting international relations and international law that the Supreme Court of the United States has over all cases in law and equity arising under the Constitution of the United States and treaties made under its authority. A somewhat similar jurisdiction already attaches within the British Empire to the Judicial Committee of the Privy Council. The enforcement, when necessary, of the findings of this court should be a matter of joint international action in accordance with a definite plan to be determined upon when the court is established. The principle upon which this action will rest has been stated with characteristic precision by Mr. Asquith when he said that the rule of the authority of an international court "must be supported in case of need by the strength of all; that is, in the last resort, by armed force."

For the success of this court it is imperative that secret international understandings be deprived of any validity whatever in international law. It should be provided that, as a condition of the validity in international law of any treaty between two contracting powers, a copy of it must be deposited immediately upon its ratification in the archives of the international court of justice at The Hague. There would then be at least one official public depositary for every existing valid treaty.

It should be clearly understood that any such plan of international co-operation as this league of nations would involve the giving up by each nation included in the league of the absolute right of its Government to deal finally and without appeal except to war, with questions arising out of treaties or relations between itself and some other Government. Little serious progress can be made in getting rid of war and in better organizing the world until the free peoples are ready to have their several Governments take this long step forward.

It is important that this league of nations should begin by not attempting too much. The line of least resistance, and therefore of greatest possible progress, is to lay stress upon the power and authority, of a single international judicial authority, and to accustom the public opinion of the world to seek and to defer to the findings of such authority. All international agreements between members of the league would in effect be acts of international legislation, and in due time some formal international legislative body might be brought into existence. It would be much better, however, to give this body a chance to grow up naturally, rather than to attempt to bring it into existence as a part of a logical and systematically worked out plan.

Such a league of nations as is here outlined will rest upon a moral foundation. Its aim will be to advance the good order, the satisfaction, and the happiness of the world. It will not be, and should not be, merely a league to enforce peace. A league of that name might well rest solely upon force and entirely overlook both law and equity. Doubtless Germany and Austro-Hungary now feel that they are joint and several members of a highly meritorious league to enforce peace—peace upon their own terms and as they conceive it. A league of nations that aims to declare and to enforce principles of international law and justice, will of necessity be a league to establish peace, because it will be a league to establish those foundations upon which alone permanent peace can rest. There is no reason why there should be any further delay in bringing this league formally into existence. Even while military and naval operations are being pressed forward to that certain victory which will one day be theirs, this league should be formally established, and international organs created by it to prepare systematically and scientifically for promptly dealing with the grave economic, social and political problems that the cessation of hostilities, the demobilization of armies, and the new world conditions that are to be the result of the overthrow of Prussian militarism will certainly bring forward for quick solution. It would be difficult to make a better statement of the rights and duties of nations, than that adopted by the American Institute of International Law at Washington on January 6, 1916, and supplemented by the same body at Havana, Republic of Cuba, on January 23, 1917. A copy of these declarations follows:

I. DECLARATION OF THE RIGHTS AND DUTIES OF NATIONS.

Whereas the municipal law of civilized nations recognizes and protects the right to life, the right to liberty, the right to the pursuit of happiness, as added by the Declaration of Independence of the United States of America, the right to legal equality, the right to property, and the right to the enjoyment of the aforesaid rights; and

Whereas these fundamental rights, thus universally recognized, create a duty on the part of the peoples of all nations to observe them; and

Whereas, according to the political philosophy of the Declaration of Independence of the United States and the universal practice of the American Republics, nations or governments are regarded as created by the people, deriving their just powers from the consent of the governed, and are instituted among men to promote their safety and happiness and to secure to the people the enjoyment of their fundamental rights; and

Whereas the nation is a moral or juristic person, the creature of law and subordinated to law, as is the natural person in political society; and

Whereas we deem that these fundamental rights can be stated in terms of international law and applied to the relations of the members of the society of nations, one with another, just as they have been applied in the relations of the citizens or subjects of the States forming the society of nations; and

Whereas these fundamental rights of national jurisprudence, namely, the right to life, the right to liberty, the right to the pursuit of happiness, the right to equality before the law, the right to property, and the right to the observance thereof, are, when stated in terms of international law, the right of the nation to exist and to protect and to conserve its existence; the right of independence and the freedom to develop itself without interference or control from other nations; the right of equality in law and before law; the right to territory within defined boundaries and to exclusive juris-

diction therein, and the right to the observance of these fundamental rights; and

Whereas the rights and the duties of nations are, by virtue of membership in the society thereof, to be exercised and performed in accordance with the exigencies of their mutual interdependence expressed in the preamble to the Convention for the Pacific Settlement of International Disputes of the First and Second Hague Peace Conferences, recognizing the solidarity which unites the members of the society of civilized nations, it should therefore be universally maintained by the nations and peoples of the world, that:

I. Every nation has the right to exist and to protect and to conserve its existence, but this right neither implies the right nor justifies the act of the State to protect itself or to conserve its existence by the commission of unlawful acts against innocent and unoffending States.

II. Every nation has the right to independence in the sense that it has a right to the pursuit of happiness and is free to develop itself without interference or control from other States, provided that in so doing it does not interfere with or violate the rights of other States.

III. Every nation is in law and before law the equal of every other nation belonging to the society of nations, and all nations have the right to claim and, according to the Declaration of Independence of the United States, "to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's god entitle them."

IV. Every nation has the right to territory within defined boundaries and to exercise exclusive jurisdiction over its territory and all persons, whether native or foreign, found therein.

V. Every nation entitled to a right by the law of nations is entitled to have that right respected and protected by all other nations, for right and duty are correlative, and the right of one is the duty of all to observe.

VI. International law is at one and the same time both national and international; national in the sense that it is the law of the land and applicable as such to the decision of all questions involving its principles; international in the sense that it is the law of the society of nations and applicable as such to all questions between and among the members of the society of nations involving its principles.

II. THE RECOMMENDATIONS OF HAVANA.

Adopted by the American Institute of International Law at its session held in Havana, Republic of Cuba, Jan. 23, 1917.

Whereas the independent existence of civilized nations and their solidarity of interests under the conditions of modern life have resulted in a society of nations; and

Whereas the safety of nations and the welfare of their peoples depend upon the application to them of principles of law and equity in their mutual relations as members of civilized society; and

Whereas the law of nations can best be formulated and stated by the nations assembled for this purpose in international conferences; and

Whereas it is in the interest of the society of nations that international agreements be made effective by ratification and observance on all occasions, and that some agency of the society of nations be constituted to act for it during the intervals between such conferences; and

Whereas the principles of law and equity can best be ascertained and applied to the disputes between and among the nations by a court of justice accessible to all in the midst of the independent powers forming the society of civilized nations;

Therefore the American Institute of International Law, at its second session, held in the city of Havana, in the Republic of Cuba, on the 23d day of January, 1917, adopts the following recommendations, to be known as its *Recommendations of Havana*.

1. The call of a Third Hague Conference, to which every country belonging to the society of nations shall be invited and in whose proceedings every such country shall participate.

2. A stated meeting of the Hague Peace Conference, which, thus meeting at regular, stated periods, will become a recommending if not a law-making body.

3. An agreement of the States forming the society of nations concerning the call and procedure of the Conference, by which that institution shall become not only internationalized, but in which no nation shall take as of right a preponderating part.

4. The appointment of a committee, to meet at regular intervals between the conferences, charged with the duty of procuring the ratification of the conventions and declarations and of calling attention to the conventions and declarations in order to insure their observance.

5. An understanding upon certain fundamental principles of international law, as set forth in the declaration of the rights and duties of nations adopted by the American Institute of International Law on January 6, 1916, which are themselves based upon decisions of English courts and of the Supreme Court of the United States.

6. The creation of an international council of conciliation to consider, to discuss, and to report upon such questions of a non-justiciable character as may be submitted to such council by an agreement of the powers for this purpose.

7. The employment of good offices, mediation, and friendly composition, for the settlement of disputes of a non-justiciable nature.

8. The principle of arbitration in the settlement of disputes of a non-justiciable nature; also of disputes of a justiciable nature which should be decided by a court of justice, but which have, through delay or mismanagement, assumed such political importance that the nations prefer to submit them to arbiters of their own choice rather than to judges of a permanent judicial tribunal.

9. The negotiation of a convention creating a judicial union of the nations along the lines of the Universal Postal Union of 1906, to which all civilized nations and self-governing dominions are parties, pledging the good faith of the contracting parties to submit their justiciable disputes—that is to say, their differences involving law or equity—to a permanent court of this union, whose decisions will bind not only the litigating nations, but also all parties to its creation.

10. The creation of an enlightened public opinion in behalf of peaceable settlement in general, and in particular in behalf of the foregoing nine propositions, in order that, if agreed to, they may be put into practice and become effective, in response to the appeal to that greatest of sanctions, "a decent respect to the opinion of mankind."*

WHY DID NOT THE CHURCH PREVENT THE WAR?

By JAMES H. ECOB

WHEN war was declared the world was stunned with horror. Men everywhere saw that a conflagration had started whose ravages no one could prophesy. What we felt to be impossible had happened. The second breath of thought, after the shock, was shaped in the question which came in from all the nations, "*What has the Church been doing that this thing could happen?*"

The question came instinctively, for the world had a right to ask that the nations which had been under direct tutelage of the Church for centuries should show due respect for the fundamental principles of the Christian religion. If the Christian world is today face to face with the greatest moral debacle of human history, how can we avoid the question, What has the Church been doing? What place can we find for Christ in this last day of Christian history? We make motion-picture films of a shadowy Christ drifting among the horrors of our battlefields. But where was our Christ

before the battles? How are such fields of horror possible in a world where we fondly say, Christ has been embodied in his Church for nearly two thousand years? What questions so instant and imperative as these? Unless a sane and adequate answer is found, what of the future? Is the Church to go serenely on in its old beaten pathway, and leave the nations, "groping and stumbling in disastrous night," to organize another Armageddon of woe tenfold deeper in human misery and moral degradation? All such questions are futile unless the Church is to use them as a lash to her conscience. "If my path has led the nations to this quagmire of mud and blood, then from this hour I must choose a new and plain path. I must stop doing the things which for centuries I have been doing, and forthwith begin doing different things. Or else frankly admit, I have no message of guidance and redemption for the nations."

The question, What has the Church been doing? applies of course to the older nations now engaged in war. They have been for centuries under the direct tutelage of the Church. The question must consequently be narrowed to those nations which have made the history now blossoming in the blood-red horrors of the world's greatest calamity. Turkey, Russia, France, Germany, England—what has the Church been doing in these countries?

The story of the Church in Turkey is known and read of all men. A State Church, born of the sword, with garments rolled in blood, autocratic, aristocratic, her subjects a byword and hissing throughout the world, the "Unspeakable Turk."

Russia is probably more heavily overchurched than any of the nominally Christian countries. Every man there who thinks he has had some success in life must celebrate by building a memorial church. In the magnificence of its sacred buildings, in its vast landed properties, in astounding accumulations of gold and silver and precious stones, the Greek Church is easily chief.

Peter the Great, among his manifold and bizarre activities, turned the Russian Church into a department of the State. "From that hour it ceased to live. It was part of the bureaucratic machine for exploiting the people, for enabling a vast army of officials to make a living, and to exercise an irresponsible authority over the masses." This action was stoutly resisted at the time by the plain people, and is today a standing menace to the liberties of that distracted country. What has the Greek Church done for Russia? Precisely what all the other autocratic, aristocratic institutions have done. Its boast is that its doctrines have not changed since the great councils of the early centuries. It is without doubt today the richest and most securely anchored in absolutism of any ecclesiastical organization in the world. It is giving the torn and vexed multitudes such profound and commanding laws as this: "You may worship images, but they must be flat. To worship a statute or bas-relief is idolatry, abhorrent to Mother Church. You must have sacred pictures with perpetual lights before them, but they must be in the corners of your rooms, which are more sacred than the side walls." Accordingly, nearly every room in Russia, public as well as private, has its inevitable

* The text of this Declaration of Rights and Duties, and of the Recommendations of Havana has been carried since the war began in every number of the ADVOCATE OF PEACE, under the caption "A Governed World."